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Stolowitz Ford Cowger LLP			SCARITO, JOHN D	
621 SW Morrison St				
Suite 600			ART UNIT	PAPER NUMBER
Portland, OR 97205			3692	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/611,605	COKER, DON W.	
	<b>Examiner</b>	<b>Art Unit</b>	
	John D. Scarito	3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 01 July 2003.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-19 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-19 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

Examiner acknowledges receipt of the preliminary amendment received 3/30/2007.

### ***Minor Claim Objections***

Claims 3, 6, 7, 12, & 15-19 are objected to because of the following informalities:

1. As per Claim 3, "a financial instrument database" of the storing step already has antecedent basis earlier in the claim.
2. As per Claim 6, Applicant has a typo..."an user interface". Further, "the instructions" and "the financial instrument" lack antecedent basis.
3. As per Claim 7, Applicant has a typo..."as stand-alone system".
4. As per Claims 12 & 16-19, Examiner suggests the use of "further comprising" in lieu of "comprising" for clarity.
5. As per Claims 15-19, Examiner requests that Applicant utilize "computer-readable medium" in lieu of "an article comprising a storage medium" and "the article" in line with MPEP 2106.01.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-5, 10-14 & 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per Claim 1, Examiner is concerned that “identifying information” would be confused with “information”. Applicant should further distinguish the claim language. (For example, "verifying information from a second source", etc.)

As per Claim 3, Examiner introduces "a first device" and "a second device" without establishing anything else about them in the claim. These could be broadly interpreted as anything. Examiner will assume for purposes of examination that Applicant intended to receive "identifying information" from "a first device" and “information” from “a second device.”

As per Claims 2 & 4, said claims are rejected due to their dependence on a rejected claim.

As per Claim 5, Applicant depends from Claim 4 which already introduces “a telecommunications link” and “a financial institution”. Here Examiner is confused as to whether Applicant missed antecedent basis in Claim 4 or is attempting to introduce a different telecommunications link and a different financial institution.

As per Claims 10-14, Applicant invokes 35 USC §112-6<sup>th</sup> paragraph by (1) utilizing the phrase “means for”, (2) modified by functional language, (3) without an indication of sufficient structure, materials, or acts, in the claim, to achieve those functions. In this vein, Claims 10-14 would ordinarily be construed to cover the corresponding structure, material or acts disclosed in the specification and equivalents thereof. However, Applicant's specification does not describe any explicit structure, material or acts as associated with each particular "means for" clause of the claims. [In particular, Applicant's specification does not even admit the "means for" language.] This raises an ambiguity issue (e.g. what "means" in particular accomplishes the functional limitation).

[“[S]tructure disclosed in the specification is *corresponding* structure *only if the specification or prosecution history clearly links or associates that structure to the function* recited in the claim. This duty to link or associate structure to function is the quid pro quo for the convenience of employing 112, paragraph 6.” (emphasis added) & “If no definition (e.g. link) is provided, some judgment must be exercised in determining the scope of the limitation.” (see MPEP 2182, parenthetical added)]. As such, without a direct link, Examiner will interpret all claim limitations as reading on any prior art means which is capable of performing the specified functions under a broadest reasonable interpretation.

As per Claim 14, Examiner finds the language “from or to the input or output device from or to the means for processing” unnecessarily complex. Examiner requests clarification.

As per Claim 19, Applicant states “the means for processing” without antecedent basis. Further, Examiner finds the language “from or to the input or output device means from or to the means for processing” unnecessarily complex. Examiner requests clarification.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 & 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Josephson [2003/0213841] as evidenced by Josephson (5,783,808).

As per Claim 1, Josephson ('841) teaches the method of preventing financial fraud [paragraph 2 & 35] concerning a financial instrument [paragraph 2 & 35 “checks” & paragraph 14, “all types of negotiable instruments”] as follows:

- a) receiving from a first source [paragraph 38, “paying entity’s information capture location”] identifying information [paragraph 12, “check’s serial number” & "payee’s identification" & “originally issued amount”] concerning the financial instrument;
- b) storing the identifying information into a financial instrument database; [paragraph 31, “identification information stored within the databases”]
- c) receiving information from a second source regarding the financial instrument; [paragraph 31, “payee presents the check for cashing”. Here, Examiner notes that the check itself holds ‘information’ that is presented to the payor bank either directly or indirectly].
- d) comparing the information from the second source with the identifying information concerning the financial instrument stored in the financial instrument database; [paragraph 31, “payee identification information stored within the database is recalled and compared to the information

contained on the check in order to verify payee identification and/or check amount".

Here, Examiner notes that Josephson ('841) discloses electronic capabilities of comparing "the issued check and the paid returned check" as known in the art. (paragraph 7).]

e) honoring the financial instrument if the information from the second source matches the identifying information concerning the financial instrument stored in the financial instrument database. [paragraph 34, "[i]f the comparison is valid, then the check's endorsement is accepted and consideration is given to the payee."].

As per Claim 2, Josephson ('841) teaches the method of Claim 1 above. Further, Josephson ('841) teaches dishonoring the financial instrument if the information from the second source does not match the identifying information concerning the financial instrument stored in the financial instrument database. [see paragraph 34, "[i]f the comparison fails, the payee's endorsement fails". Here, Examiner notes that a failed endorsement means that the check will not be accepted as presented (e.g. dishonored).]

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 6-12, & 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Josephson [2003/0213841].

As per Claim 3, Josephson ('841) teaches a system for preventing financial fraud [paragraph 2 & 35] concerning a financial instrument [paragraph 2 & 35 “checks” & paragraph 14, “all types of negotiable instruments”] as follows:

a first device; [see Fig 1 and 3 & paragraph 32], a second device; [Fig 5 & paragraph 33], a server, [paragraph 54, “central client server”]

However, Josephson ('841) does not explicitly disclose:

said server including a program module for storing a financial instrument database, Regardless, Josephson ('841) does disclose embodiments as specifically requiring a database for verification information storage and retrieval. [paragraphs 31 & 33]. Further, Josephson ('841) admits that issuers would transmit their data files to the central client server.

[paragraph 54]. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant' invention, to modify Josephson ('841) to specifically include said server including a program module for storing a financial instrument database. One would have been motivated to do so given that the server is merely a central place

utilized as a substitute for many separate issuer databases. Further, one of skill in the art would surely appreciate that programming is necessary to form and manipulate a database. said server....further comprising a program module operative to: a) receive from a first source identifying information concerning the financial instrument; b) storing the identifying information into a financial instrument database; c) receive information from a second source regarding the financial instrument; d) compare the information from the second source with the identifying information concerning the financial instrument stored in the financial instrument database; and e) honor the financial instrument if the information from the second source matches the identifying information concerning the financial instrument stored in the financial instrument database. Regardless, Josephson ('841) evidences "applicable programs" [paragraph 36], and "programs [that can] determine if payee identification information is available" [paragraph 41] and "necessary programs to allow [a] terminal to operate as stand alone device, or alternatively as a device to receive downloadable issued check data..." [paragraph 44]. In this vein, a teller terminal would be performing the method of Claim 1 above. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to modify Josephson ('841) to specifically include a server with a program module operative to perform the method of Claim 1. One would have been motivated to do so given that Josephson ('841) discloses electronic capabilities of comparing "the issued check and the paid returned check" as already known in the art [paragraph 7]. Further, electronic processing would be more efficient and would avoid errors commonly associated with human processing.

As per Claim 6, Josephson ('841) teaches an apparatus [paragraph 44] for preventing financial fraud [paragraph 2 & 35] with financial instruments [paragraph 2 & 35 "checks" & paragraph 14, "all types of negotiable instruments"], as follows:

b) a memory device for containing a program module; [see paragraph 44, "memory capacity for storage of the necessary programs to allow the terminal to operate"]

c) an user interface; [paragraph 44, "screen display monitors"]

e) a processing unit coupled to the memory device, the database and the user interface, the processing unit [see Figure 5. Here Examiner notes it as necessary that the computer terminal exhibited houses a processor "in operable connection" (paragraph 44) to the memory, storage area (often including a database, see below) and user interface to execute (e.g. operative in response to instructions) the invention of Josephson ('841).]

However, Josephson ('841) does not explicitly disclose:

a) a stored data base; Regardless, Josephson ('841) does disclose embodiments as specifically requiring a database for verification information storage and retrieval. [paragraphs 31 & 33]. Further, Josephson ('841) teaches that issuers would download, to the teller's terminal, their "issued check data from the check issuer's database...and [the ability to] update the check issuer's database." [see paragraph 44]. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant' invention, to modify Josephson ('841) to specifically include said a stored database. One would have been motivated to do so given the known ease of storing data in an organized manner in a database as well as to maintain compatibility with existing systems for simplified data transfers.

the apparatus..[with] program module to: receive from a first source identifying information concerning the financial instrument; store the identifying information into a financial instrument database; receive information from a second source regarding the financial instrument; compare the information from the second source with the identifying information concerning the financial instrument stored in the financial

instrument database; and honor the financial instrument if the information from the second source matches the identifying information concerning the financial instrument stored in the financial instrument database.

Regardless, Josephson ('841) evidences "applicable programs" [paragraph 36], and "programs [that can] determine if payee identification information is available" [paragraph 41] and "necessary programs to allow [a] terminal to operate as stand alone device, or alternatively as a device to receive downloadable issued check data..." [paragraph 44]. In this vein, the teller terminal would be performing the method of Claim 1 above. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to modify Josephson ('841) to specifically include the teller terminal with a program module operative to perform the method of Claim 1. One would have been motivated to do so given that Josephson ('841) discloses electronic capabilities of comparing "the issued check and the paid returned check" as already known in the art [paragraph 7]. Further, electronic processing would be more efficient and would avoid errors commonly associated with human processing.

As per Claim 7, Josephson ('841) as modified teaches the apparatus of Claim 6 above. Further, Josephson ('841) teaches said apparatus is as stand-alone system. [paragraph 44, "stand alone device"]

As per Claim 8, Josephson ('841) as modified teaches the apparatus of Claim 6 above. However, Josephson ('841) does not explicitly disclose said apparatus is a server connected to a telecommunications network. Regardless, Josephson ('841) does teach "check issuers...transmit[ting] their daily data files of issued checks to a central client server" [paragraph 54] or alternatively, issuers "dowload[ing] issued check data from the check

issuer's database [directly to the teller terminal]" [paragraph 44]. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to modify Josephson ('841) to include the apparatus as a server connected to a telecommunications network. One would have been motivated to do so given that one of skill in the art would appreciate that any computer can be designated as a 'server'. The designation of the holder of the files is merely a preference to information "access" [see paragraph 54].

As per Claim 9, Josephson ('841) teaches the apparatus of Claim 6 above. However, Josephson ('841) does not explicitly disclose a stored database compris[ing] a financial instrument database. Regardless, under the logic of Claim 6 above, a database would be present. Further, the data being transferred and stored is "issued check data" [paragraph 44]. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention that the database be designated as a 'financial instrument database'. One would have been motivated to do so to keep the records separate. Further, Josephson ('841) teaches database software that periodically extracts said data for use in other programs. [see paragraph 51].

As per Claim 10, Josephson ('841) teaches the apparatus as follows:  
means for storing identifying information relating to an issued financial instrument; [see paragraph 44, teller terminal with "network connectivity" to "download[] issued check data" & paragraph 16, "present invention captures and stores payee identification information within an accessible database system"]

means for comparing the identifying information to a financial instrument presented for payment; [paragraph 44, “necessary programs to allow the terminal to operate as a stand alone device & paragraph 53, "ability to operate in both off-line and on-line modes". Further, Examiner notes that one of skill in the art would surely appreciate that a processor as necessary in the terminal of Figure 5 would adequately provide the means to execute such programs.]

However, Josephson ('841) does not explicitly disclose:

means for paying the financial instrument presented for payment responsive to the means for comparing. Regardless, Josephson ('841) does disclose that “[i]f the comparison is valid, then the check’s endorsement is accepted and *consideration is given* to the payee” [paragraph 34, emphasis added]. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant’s invention, to modify Josephson ('841) to include any known means (e.g. a teller handing payee payment, credit to payee account, etc) for paying a financial instrument. One would have been motivated to do so given that unless a fraud is suspected, a payment order should be followed and payment tendered as desired by the payee.

As per Claim 11, Josephson ('841) as modified teaches the apparatus of Claim 10 above.

Further, Josephson ('841) teaches means for storing the identifying information in a database. [paragraph 44, “terminal” & “network connectivity” & “operable connection [of terminal components]” & “download[ing]...from the check issuer’s databases”].

As per Claim 12, Josephson ('841) as modified teaches the apparatus of Claim 10 above.

Further, Josephson ('841) teaches means for accessing the identifying information through a server

connected to a global network. [paragraph 44, “terminal” with “network connectivity” & paragraph 54 “data files of issued checks [may be on] a central client server” & paragraph 44, “terminal” may “download[] issued check data”].

As per Claim 15, Josephson ('841) does not explicitly disclose an article (e.g. a computer-readable medium with program instructions recorded thereon) that when executed by a computer results in: storing identifying information relating to an issued financial instrument; comparing the identifying information to a financial instrument presented for payment; and paying the financial instrument presented for payment responsive to comparing. Regardless, Josephson ('841) does disclose a "stand alone device" with "the necessary programs to allow the terminal to operate" [paragraph 44] as well as the terminal operating the invention of Josephson ('841) in "both an off-line and on-line modes" [paragraph 53]. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to specifically modify Josephson ('841) to include an article of manufacture (e.g. computer readable medium) with program instructions recorded thereon to perform its "stand alone" methods. One would have been motivated to do so given the widespread use of computer-readable mediums in computers today and the apparent ability to easily transfer programs via computer readable medium. Examiner refers Applicant to Claim 6 above for citations regarding the method.

As per Claim 16, Josephson ('841) as modified teaches the article of Claim 15 above. Further, it would have been an obvious variant of Josephson ('841) to include an article with instructions for storing the identifying information in a database in view of Claims 6 & 11 above and the logic and evidence of Claim 15 above.

As per Claim 17, Josephson ('841) as modified teaches the article of Claim 15 above.

Further, it would have been an obvious variant of Josephson ('841) to include an article with instructions for accessing the identifying information through a server connected to a global network in view of Claim 12 above and the logic and evidence of Claim 15 above.

Claims 4, 5, 13, 14, 18 & 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Josephson [2003/0213841] in view of Official Notice.

As per Claim 4, Josephson ('841) as modified teaches the system of Claim 3 above.

However, Josephson ('841) does not explicitly disclose said first device comprises a telecommunications link to said server from a financial institution. Regardless, Josephson ('841) does teach check issuers "transmit[ting] their daily data files of issued checks to [the] central client server". [paragraph 54]. In this vein, Official Notice is taken that financial institutions can also be issuers of checks (e.g. cashier's checks) and that this is old and well-established in the banking industry. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to modify Josephson ('841) to include the first device with a telecommunications link to said server from a financial institution. One would have been motivated to do so given that banks are just as likely to be victims of fraud as their drawers and would utilize such a system.

As per Claim 5, Josephson ('841) as modified, teaches the system of Claim 4 above.

However, Josephson ('841) does not explicitly disclose said second device comprises a telecommunications link to said server from a financial institution. Regardless, Josephson ('841) does disclose "networking connectivity" of a teller terminal (e.g. financial institution) to

retrieve verifying information. [paragraph 33]. Further, Josephson ('841) contemplates check issuers "transmit[ting] their daily data files of issued checks to [the] central client server". [paragraph 54]. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to modify Josephson ('841) to include said second device with a telecommunications link to said server from a financial institution. One would have been motivated to do so because Josephson ('841) teaches a teller terminal downloading directly from the check issuer database. [paragraph 44]. If the information is at a server instead, the teller terminal would logically download the verification information from said server.

As per Claim 13, Josephson ('841) as modified teaches the apparatus of Claim 10 above. Further, Josephson ('841) teaches means for comparing includes: means for substantially permanently storing first routines; [paragraph 44, "sufficient intermediate memory capacity for storage of the necessary programs to allow the terminal to operate"]. However, Josephson ('841) does not explicitly disclose means for temporarily storing second routines. Regardless, Official Notice is taken that memory, as associated with computers, commonly comprises both RAM and ROM as is old and well established in the art. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to modify Josephson ('841) to specifically include a terminal (e.g. computer, Figure 5) with both RAM and ROM. One would have been motivated to do so given that use of these temporary and permanent memory sources is largely predictable. As per Claim 14, Josephson ('841) as modified teaches the apparatus of Claim 13 above. However, Josephson ('841) does not explicitly disclose the means for comparing includes:

means for processing the second routines; means for interfacing the means for processing to input or output devices; and means for communicating information from or to the input or output devices from or to the means for processing. Regardless, Josephson ('841) does disclose its terminal with input (e.g. keyboards) and outputs (e.g. screen display) as "in operable connection" as well as "sufficient intermediate memory...to allow the terminal to operate (e.g. perform the invention of Josephson ('841)). [paragraph 44]. Nevertheless, Official Notice is taken that it is old and well established that computers often contain a processor, memory, and a system bus for interfacing and communication between the memory, the processor, and various known input/output devices connected to the terminal. As such, it would have been obvious to one of ordinary skill in the art, at the time of Applicant's invention, to acknowledge Josephson ('841) as specifically including a computer containing a processor, memory, and a system bus. One would have been motivated to do so given that use of such components is largely predictable and would be less costly than developing one's own 'means' for processing programs.

As per Claim 18, Josephson ('841) as modified teaches the article of Claim 15 above. Further, it would have been an obvious variant of Josephson ('841) to include an article with instructions for substantially permanently storing first routines; and temporarily storing second routines in view of Claim 13 above and the logic and evidence of Claim 15 above.

As per Claim 19, Josephson ('841) as modified teaches the article of Claim 15 above. Further, it would have been an obvious variant of Josephson ('841) to include an article with instructions for processing the second routines; interfacing the means for processing to input or output device means; and communicating information from or to the input or output device means from or

to the means for processing in view of Claim 14 above and the logic and evidence of Claim 15 above.

***Prior Art***

Examiner notes that Josephson (5,783,808) [a 102(b) reference] evidences an earlier conception of an embodiment of Applicant's invention. Here, Josephson ('808) portrays that "[an] issue file is matched to the electronic check file prior to receipt of the physical check, thereby detecting mismatches (checks that were never issued or checks on which the check amount has been altered) prior to check processing. The advantage of this prior detection is that fraud can be detected and action taken at an earlier time." [column 9, lines 58-64].

Examiner suggests that Applicant consider this reference in any amendments to follow. Further, Examiner notes Applicant's invention as very similar to known stop payment systems and methods. (e.g. a file with stop payment records is provided to a financial institution to compare to incoming checks drafted on a drawer's account).

Lastly, Examiner makes the following prior art of record, although not currently relied upon as pertinent to Applicant's disclosure: Huang et al [5,491,325], Tetro et al [6,122,624] & Bartoli et al [6,047,268].

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John D. Scarito whose telephone number is (571) 270-3448. The examiner can normally be reached on M-Th (7:30-5:00), Alternate F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John D. Scarito/  
Examiner, Art Unit 3692

John D. Scarito  
Examiner  
Art Unit 3692

/Harish T Dass/  
Primary Examiner, Art Unit 3692

Application/Control Number: 10/611,605  
Art Unit: 3692

Page 19